

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RICHARD ANTHONY WILFORD,
Petitioner

v.

JAMES ENGLEMAN,
Respondent.

Case No. 2:24-cv-01470-DDP (GJS)

ORDER REQUIRING RESPONSE
TO PETITION FOR WRIT OF
HABEAS CORPUS

[FED. CUSTODY - ***EXPEDITED***]¹

Please read this order carefully. It may differ from similar orders by other judicial officers, and even from prior iterations of this order used by this Court in other habeas corpus cases. The Court adopts this Order to facilitate the just, speedy, and inexpensive determination of this case.

I. Service of Petition and this Order

The Clerk shall promptly serve copies of the Petition for Writ of Habeas Corpus filed on February 22, 2024 and this Order on Respondent by transmitting them to the United States Attorney for the Central District of California (or an authorized agent) electronically. The Clerk also shall promptly serve a copy of this Order on Petitioner.

¹ The Court finds an expedited briefing schedule appropriate in this case because Petitioner alleges that the Bureau of Prisons has terminated his home confinement and returned him to prison without due process.

II. Consent to Magistrate Judge

The parties are advised that, to encourage the just and speedy determination of habeas corpus cases filed in this District, the parties may waive their right to proceed before a district judge and instead consent to have a magistrate judge render a final judgment. If any party wishes to consent, the party must file a completed Form CV-11B with the Clerk's Office, a copy of which is attached. The parties may withhold consent without adverse substantive consequences. *See* Fed. R. Civ. P. 73(b)(2).

III. Notice of Appearance

Within fourteen days of the date of this Order, Respondent shall file and serve a notice of appearance designating the Assistant United States Attorney(s) assigned to this case.

IV. Answer and Reply to the Petition

Respondent must file and serve an Answer within **thirty days** from the date of this Order. Within **thirty days** of the date of service of the Answer, Petitioner may file a Reply responding to matters the Answer raises. Any Reply Petitioner files must (a) state whether Petitioner admits or denies each factual allegation in the Answer; (b) respond only to matter raised in the Answer; and (c) not raise new grounds for relief not asserted in the Petition.

A. Page Limits

Unless this Court grants leave under Local Civil Rule 11-6, the following page limits apply:

- Answer to the Petition: 35 pages;
- Reply in Support of the Petition: 20 pages.

1 **B. Exhibits**

2 All exhibits to the Answer must be page numbered consecutively with the
3 Answer and tabbed, as required by Local Rule 11-5, to facilitate ease of reference.
4 The Answer must cite the page number of any exhibit or document used to support
5 any statements in the Answer.

6 7 **V. Extensions of Time**

8 *Given the expedited nature of the briefing ordered, extensions of time are*
9 *disfavored.* The Court will grant a request for an extension of time to file an
10 Answer or Reply only on a showing of exceptional circumstances. All extension
11 requests must be accompanied by a declaration explaining why an extension of time
12 is necessary and with a proposed order granting the requested extension.

13 14 **VI. Oral Argument**

15 Unless the Court orders otherwise, this action will be deemed submitted for
16 decision upon filing of Petitioner's Reply to the Answer, or if no reply is filed, the
17 day after Petitioner's Reply to the Answer was due.

18 19 **VII. Proofs of Service**

20 Every document submitted to the Court must include a proof of service
21 attesting that a copy of the document was served on opposing counsel (or on the
22 opposing party, if the party is unrepresented).

23 24 **VIII. Communications with the Court**

25 Under Local Civil Rule 83-2.5, "parties to any action or proceeding shall
26 refrain from writing letters to the judge, sending e-mail messages to the judge,
27 making telephone calls to chambers, or otherwise communicating with a judge in a
28 pending matter unless opposing counsel is present. All matters must be called to a

judge's attention by appropriate application or motion filed in compliance with these Local Rules." Accordingly, Petitioner should send each document Petitioner intends to file to "Narissa Estrada, Clerk to United States Magistrate Judge Gail Standish, U.S. Courthouse, 255 East Temple St., Los Angeles, CA 90012."

Every document Petitioner sends related to this case must include the title and case number (including judges' initials), have at least a one-inch margin at the top of each page, and should be printed or handwritten on only one side of paper. C.D. Cal Local Civ. R. 11-3.1, 11-3.2, 11-3.8(e). At the top of the first page of any document sent to the Court, Petitioner must give his or her name and mailing address, including prisoner number, other identification number, and any other information necessary for mail delivery.

IX. Change in Address

Petitioner must immediately notify the Court and Respondent's counsel of any change of Petitioner's address. **If Petitioner fails to maintain a current address with the Court, the Court may dismiss this action for failure to prosecute.** According to Local Civil Rule 41-6,

If mail directed by the Clerk to a *pro se* plaintiff's address of record is returned undelivered by the Postal Service, and if, within fifteen (15) days of the service date, such plaintiff fails to notify, in writing, the Court and opposing parties of said plaintiff's current address, the Court may dismiss the action with or without prejudice for want of prosecution.

X. Mandatory Courtesy Paper Copies for Chambers

Unrepresented Petitioners need not provide courtesy (*i.e.*, extra) paper copies of their filings. Although Respondent is required to provide courtesy paper copies in general, the Court does NOT require courtesy paper copies of the following filings: (1) Requests for Extension of Time; (2) Requests for Leave to File Excess

1 Pages; (3) Notices of Appearance, or (4) proposed orders. Courtesy paper copies of
2 all other filings should be provided to Chambers in a manner consistent with the
3 Local Rules.

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5 **XI. Strict Compliance**

6 **The Court expects from all parties, represented and unrepresented, strict**
7 **compliance with all terms of this order and the Local Rules of this Court.**

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9 **IT IS SO ORDERED.**

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11 DATED: February 27, 2024



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13 GAIL J. STANDISH
14 UNITED STATES MAGISTRATE JUDGE
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